

IPW

PTO/SB/21 (02-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/713,880
Filing Date	11/13/2003
First Named Inventor	S. Reinecke
Art Unit	3764
Examiner Name	Not yet assigned
Attorney Docket Number	24004350.010030US-2

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard V. Wells, Reg. No. 53,757 Baker & McKenzie LLP
Signature	
Date	8/16/04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Lori Doyle	
Signature		Date
	8/17/2004	

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Attorney Docket No.
24004350.010030US-2

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 3764
Steven M. Reinecke, et al)
Serial No.: 10/713,880) Examiner: Not yet assigned
Filed: November 13, 2003)
For: **Brace with Integrated Lumbar**)
Support System)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant(s) hereby notify the U.S. Patent and Trademark Office of the document(s) which is/are listed on the attached Form PTO-SB/08A. One copy of the listed documents is submitted herewith.

X (1) This IDS does NOT require a fee or 37 C.F.R. § 1.97(e) statement because it is being filed (check all that apply):

(a) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); **OR**

(b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; **OR**

X (c) Before the mailing of a first Office action on the merits; **OR**

(d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

2) This information disclosure statement is filed before the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and (check only one):

(a) Is accompanied by the fee set forth in § 1.17(p); **OR**

(b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

(c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

(3) This Information disclosure statement is filed on or before payment of the issue fee and is accompanied by the fee set forth in § 1.17(p); **AND** (check only one):

(a) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

(b) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of

information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

4) This Information disclosure statement is filed after payment of the issue fee and Applicant(s) understand that it will be placed in the file but will not be considered by the Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Please charge any deficiencies in connection with this Information Disclosure Statement to Deposit Account No. 13-0480 (please reference 24004350.010030US-2).

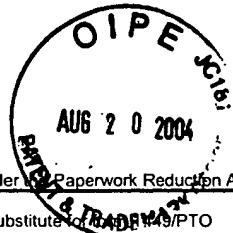
Respectfully submitted,



Richard V. Wells
Reg. No. 53,757
Attorney for Applicant

Date: 8/16/04

Baker & McKenzie LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201
(214) 978-3006 (direct)
(214) 978-3099 (facsimile)



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Substitute for Form 149/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

of 2

Complete if Known	
Application Number	10/713,880
Filing Date	11/13/2003
First Named Inventor	S. Reinecke
Art Unit	3764
Examiner Name	Not yet assigned
Attorney Docket Number	24004350.010030US-2

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	Type
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE 10007635 A1	07/19/2001	Peter Kubin		
		DE 10007634 A1	07/12/2001	Peter Kubin		
		CH 0690398A	08/31/2000	Peter Kubin		
		CH 0689797A	11/30/1999	Peter Kubin		

Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

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<p>Substitute for form 1449/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p>		Complete if Known	
		Application Number	10/713,880
		Filing Date	11/13/2003
		First Named Inventor	S. Reinecke
		Art Unit	3764
		Examiner Name	Not yet assigned
Sheet	2	of	2
		Attorney Docket Number	
		24004350.010030US-2	

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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